

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
BISNOW LLC,

Plaintiff,

-v-

THOMAS LOPEZ-PIERRE,

Defendant.

CIVIL ACTION NO.: 20 Civ. 3441 (PAE) (SLC)

**SCHEDULING ORDER**

**SARAH L. CAVE**, United States Magistrate Judge.

This matter having been referred to me to conduct an inquest and to report and recommend concerning plaintiff's damages and attorneys' fees, it is hereby **ORDERED** that:

1. Plaintiff shall submit proposed findings of fact and conclusions of law concerning damages no later than **Thursday, October 29, 2020**. Plaintiff must support all factual assertions by affidavit and/or other evidentiary material. Plaintiff's requested attorneys' fees and costs must be recorded in the form below, adding fields as necessary, and supported my evidentiary material.
2. Defendant shall submit his response to plaintiff's submissions, if any, no later than **Thursday, November 12, 2020**. IF DEFENDANT (1) FAILS TO RESPOND TO PLAINTIFF'S SUBMISSIONS, OR (2) FAILS TO CONTACT MY CHAMBERS BY NOVEMBER 12, 2020 AND REQUEST AN IN-COURT HEARING, I INTEND TO ISSUE A REPORT AND RECOMMENDATION CONCERNING DAMAGES BASED ON PLAINTIFF'S WRITTEN SUBMISSIONS ALONE WITHOUT AN IN-COURT HEARING. See

Transatlantic Marine Claims Agency, Inc. v. Ace Shipping Corp., 109 F.3d 105, 111 (2d Cir. 1997) (“[I]t [is] not necessary for the District Court to hold a hearing, as long as it ensured that there was a basis for the damages specified in a default judgment.” (quoting Fustok v. ContiCommodity Services Inc., 873 F.2d 38, 40 (2d Cir. 1989))).

Plaintiff is directed to serve this Order on Defendant and file proof of service by no later than **October 29, 2020**.

Dated: New York, New York  
September 29, 2020

  
SARAH L. CAVE  
United States Magistrate Judge

<u>Requested Attorneys' Fees</u>			
Timekeeper	Requested Rate	Requested Hours	Requested Total
		<b>TOTAL:</b>	

<u>Requested Costs</u>		
Type of Expense	Evidence (with ECF cite)	Amount Requested
	<b>TOTAL:</b>	